



U.S. Department of Justice

*United States Attorney
Southern District of New York*

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 23, 2017

BY ECF AND BY EMAIL

The Honorable Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. William Bracy*, 15 Cr. 537 (VEC)

Dear Judge Caproni:

William Bracy murdered Moises Lora because Lora lived in the wrong housing project and had the wrong friends. William Bracy murdered Moises Lora who was a frail, unsuspecting, and lowly associate of the Courtlandt Avenue Crew. William Bracy murdered Moises Lora by pummeling Lora to death with his fists and feet – the single most gruesome murder among an all too long list of homicides committed and attempted by Bracy and his confederates in the YGz. Moises Lora was 16 years old when he died on the pavement, in view of his neighbors and loved ones.

William Bracy should spend the majority of his remaining years in prison.

BACKGROUND

A. Founding of the YGz and Rivalry with the CAC

For years, several housing developments in the South Bronx within the New York City Police Department's 40th Precinct were a war zone for violent feuds between several criminal enterprises styled as neighborhood based street gangs. The YGz gang, which was originally led by Juther Perez, a/k/a "Juu Heff" until he was murdered by a rival gang in August 2013, has been at the center of these violent conflicts. The YGz gang is responsible for multiple murders, attempted murders, shootings, assaults, and other acts of violence that arise from the YGz gang's ongoing feuds with other street gangs operating in the South Bronx.

The YGz gang started in or about 2003 as a group of young men who socialized together and were involved in street-level crime. Among the founders of the YGz gang were Juther Perez, a/k/a "Juu Heff," who was from the Mott Haven Houses in the Bronx, and Nathaniel Fludd, a/k/a "Juntao," who was from the Melrose Houses in the Bronx, among others. The YGz gang

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eventually grew to become a substantial criminal organization with sets of gang members, who have engaged in criminal activities, in the Bronx, Manhattan, Brooklyn, and elsewhere in New York City. In recent years, the YGz gang was comprised of sets based in (among other places) several housing developments in the Bronx, including the “MHG” set (which stands for “Mott Haven Gunnaz” or “Most Hated Gunnaz”) based in the Mott Haven Houses (the “Mott Haven YGz”); the “MAG” set (which stands for “Morris Avenue Gunnaz”) based on Morris Avenue near the Maria Lopez Plaza and Christopher Courts apartment complexes (the “Morris Avenue YGz”); the “63rd YGz,” which is a subset of the Morris Avenue YGz based in an apartment complex on 163rd Street between Morris and Teller Avenues; and the “RPT” set based in the River Park Towers housing development.

Those housing developments are squarely considered YGz territory, and a number of shootings and other violent conflicts have occurred when members of rival gangs have entered YGz territory. The YGz gang also had sets from the Patterson Houses, the Melrose Houses, and the Jackson Houses in the Bronx, but gang members from those housing developments eventually defected from the YGz to form their own factions and have been warring with the YGz gang. For example, as detailed below, the Courtlandt Avenue Crew (“CAC”) — whose members operated primarily in and around the Melrose and Jackson Houses near Courtlandt Avenue in the Bronx — is one of the factions which used to be part of the YGz gang, and later defected from and went to war with the YGz.

Until in or about 2010, the YGz gang included the group referred to now as the CAC, which was comprised primarily of young men from the Melrose and Jackson Houses in the Bronx, many of whom were also affiliated with smaller neighborhood gangs such as “God’s Favorite Children” (“GFC”) and the “Original Gangstaz” (“OGz”). Beginning in or about 2010, however, the affiliation between the YGz and the CAC began to deteriorate, and members of the two gangs began to commit acts of violence against one another. The rivalry between the two gangs began to foment on or about June 20, 2010, when Tamar Brown, the brother of leading Morris Avenue YGz member Terrance Williams, a/k/a “TA,” was shot and killed in the Bronx — a murder that Williams and other YGz members believed members of the CAC were responsible for committing. Despite assurances from several CAC members that they had nothing to do with the Brown murder, tensions between the CAC and the YGz mounted, culminating in an altercation on or about August 6, 2010 in which a CAC member shot YGz member Williams in the stomach. A few hours later, on or about August 7, 2010, when YGz member Michael Maldonado a/k/a “White Mike,” went to confront the CAC member who had shot Williams, the CAC member shot Maldonado in the head and nearly killed him. Following these back-to-back shootings of YGz members by the same CAC member, the CAC defected from the YGz gang and the two gangs began a war against each that has continued to the present.

B. Bracy’s Participation in the War with CAC

From at least in or about 2010, when the war between the YGz and the CAC began, Bracy was a member of the “63rd YGz,” a subset of the Morris Avenue YGz based on 163rd Street

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between Morris and Teller Avenues, located just a few city blocks north of the rival CAC's territory. Bracy was on the front lines of the YGz war against the CAC, committing numerous acts of violence against the CAC, culminating in the stomping murder of CAC member Moises Lora in April 2012, and continuing most recently with the gang assault of high-ranking CAC member Nathaniel Fludd, a/k/a "Juntao" at the MDC in February 2016.

The 63rd YGz, and Bracy's close associate Wendell Belle, were actively participating in violence in the years before Lora's murder. For example, on or about November 22, 2010, Bracy and other YGz members participated in a shootout between YGz members and CAC members in the territory of the 63rd YGz on 163rd Street between Teller and Park Avenues in the Bronx. Several YGz members participated in this shootout with rival CAC members after YGz member Belle lured the rival CAC members to the area. During the shootout, a total of three individuals were shot and injured: rival CAC member Felipe Blanding, a/k/a "Hump," Bracy himself, and one of Bracy's associates from the 63rd YGz.

Bracy's injury did not slow his participation in violence. On or about April 16, 2012, a group of YGz members — including Bracy, Belle, Anthony Reddick, a/k/a "Ant Flocka" — were hanging out at a location in the Bronx, got drunk, and began arguing amongst themselves about who among them had "put in the most work" for the YGz. This group of YGz members went to rival CAC territory to settle their dispute. Upon arriving within the Melrose Houses in rival CAC territory, the members of this YGz group saw Lora, who was associated with the CAC and with whom YGz members were generally familiar through Lora's Facebook taunting of YGz members and Lora's victimization in earlier shootings by YGz members. Bracy, Belle, and Reddick, and the other members of the YGz group, attacked Lora in a courtyard by Lora's apartment building at 700 Morris Avenue in the Melrose Houses. During the attack, Bracy and other the members of this YGz group repeatedly stomped Lora in the head and crushed Lora's skull in several places. Bracy and his confederates left Lora — a frail, 90-pound, 16-year-old — to die on the pavement and in view of the residents of his housing complex.

Following the stomping, Bracy and several of his confederates exited the Melrose Houses and travelled south — primarily via Morris Avenue — to YGz territory in the Mott Haven Houses, where Lora's killers (Belle, Bracy, and Reddick) — bragged about what they had just done. This boasting by Bracy and his confederates continued. First, in the minutes prior to the Lora murder, Belle posted on Facebook that he was "gettin smacked" (*i.e.*, intoxicated) with others from Morris Avenue, meaning Bracy and other YGz members from the 63rd YGz subset of the Morris Avenue YGz set. Second, both Bracy and Belle posted statements to Facebook on the following morning acknowledging that they were hungover and had been drinking together. Third, and also on the morning following Lora's murder, Belle posted the following: "henny n alize is t[w]o dangerous ass drinks to mix!!! shyt [sic] had me feelin like incredible hulk!!!" This meant that Belle had been inebriated in such a way as to give him the feeling of physical invincibility as the result of mixing Hennessy (a brand of cognac) and Alizé (another brand of liquor, which produces, among other things, an alcoholic beverage branded as Bleu Passion, which is sold in a distinctive blue bottle). Fourth, and in reply to Belle's posting about Hennessy and Alizé, Reddick wrote, "SHIT

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HAD US WAVY THO LOL,” meaning that Reddick, Belle, and those with them (including Bracy) had felt good at the time of their inebriation. Fifth, on or about July 14, 2012, three months after the Lora murder, Bracy posted a photograph of several people sitting together, with one of the group members holding a bottle of Hennessy and another holding a bottle of Alizé, *i.e.*, the same alcohols that Bracy, Belle, and Reddick imbibed prior to killing Lora. The comments to that photograph include the following: Reddick wrote, “NIGGAS DID THE HULK LOL [laughing out loud] SMH [shaking my head].” Reddick then wrote, in part “NIGGAS KNO[w] W[h]AT HAPPEN[ed] [the] LAST T[i]ME WE DRUNK [that],” to which Bracy responded, “. . . wee was tryna make a part 2.” Reddick and Bracy then wrote to each other, “LMYGAO,” meaning, “laughing my YGz ass off.”

Bracy only continued his streak of violence in the wake of his murder of Lora. On or about November 10, 2012, Bracy, accompanied by two other YGz members, fired shots at a rival gang member in the vicinity of East 166th Street and Grant Avenue in the Bronx. Bracy and his accomplices were arrested immediately after this shooting, and one of Bracy’s accomplices was in possession of a .38 caliber revolver with a defaced serial number. On or about May 22, 2015, Bracy fired gunshots at Christopher Bonifacio, a/k/a “Brisk,” a rival member of the Blood Hound Brims and struck and injured the Bonifacio in the vicinity of 194th Street and Decatur Avenue in the Bronx. For this offense, Bracy pleaded guilty on or about June 25, 2015, in Bronx County Supreme Court, to attempted criminal possession of a loaded firearm; he subsequently acknowledged this shooting again as a YGz racketeering predicate in his plea before this Court.

Even his arrest in this case did not end Bracy’s gang-related violence. On or about February 19, 2016, within the MDC where YGz members Belle and Bracy were detained pending trial in this case, Bracy and Belle assaulted Nathaniel Fludd, a/k/a “Juntao,” a high-ranking rival CAC member who had been housed in the same housing unit at the MDC with the three of them.

C. Bracy’s Plea Agreement and Allocution

Bracy pleaded guilty on January 4, 2017, shortly before the start of his scheduled trial in this case. He did so pursuant to a plea agreement that included his specific acknowledgement of his roles in the murder of Lora, November 22, 2010 attempted murder of rival CAC members, the May 22, 2015, shooting of Bonifacio, the 2016 MDC assault, and his role in the YGz overall narcotics distribution. The agreement also discussed Bracy’s significant prior criminal history, and ultimately stipulated that the United States Sentencing Guidelines calculation for his offense level and criminal history category results in a Guidelines sentence of life imprisonment.

At his plea, Bracy lied about his role in the Lora murder. Specifically, Bracy claimed that “someone,” but not he, had beaten Lora to death, and that Bracy had aided that murder only insofar as he simultaneously attacked Lora’s friend, “Polo.” Plea Tr. at 20-21. This was a lie. Bracy has admitted to a cooperating witness that he personally kicked Lora during the attack, and civilian witnesses’ description of the event are consistent with that admission. The Government is prepared

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to establish that fact at a *Fatico* hearing if Bracy wishes to contest his true role in the murder of Moises Lora.

D. Status of Co-Defendants

The Government previously filed a global sentencing submission (Dckt. 666) providing the Court with information to compare the relative culpability of each of the defendants in this case by grouping the defendants into eight tiers of culpability (Tiers One through Eight, respectively, ranked from most to least culpable). As relevant here, that submission places Bracy in the first and top tier of relative culpability, alongside Wendell Belle, who pleaded guilty to offenses that, effectively, require a mandatory minimum sentence of 39 years' imprisonment, and Kareem Lanier, who pleaded guilty pursuant to a plea agreement that calculates a Guidelines sentence of 480 months' imprisonment (with a mandatory 420 months' imprisonment).

ARGUMENT

Bracy's stipulated Guidelines sentence justifiably reflects the heinousness and seriousness of his offenses, and a substantial sentence that will honestly account for the gruesome suffering he inflicted on Lora and others, albeit less than the duration of his life, is warranted in this case.

Deterrence and protection of the community are plainly important factors in fashioning a sentence for this defendant, and each counsels in favor of a lengthy sentence of imprisonment. *See* 18 U.S.C. § 353(a)(2)(B)-(C). In this submission, the Government will focus on what it views as the preeminent factor justifying a substantial sentence approximately in line with that facing Wendell Belle: the need for a sentence that reflects the seriousness of Bracy's offense conduct, promotes respect for the law, and provides just punishment for his offenses. *See* 18 U.S.C. § 3553(a)(2)(A). As a high-ranking member of the 63rd YGz set, Bracy wreaked havoc on communities in the Bronx by directing others in this violent racketeering enterprise, who themselves engaged in heinous acts of violence and drug dealing for the gang. Bracy, despite his managerial position, reveled in active participation in the gang's violence, taking delight in bragging and reminiscing about the murder of Lora ("LMYGAO").

In assessing the nature and seriousness of an offense and the characteristics of any defendant, the Court is in dialogue with the community affected by the defendant's crimes and with the defendant himself. Bracy is and has been a fully responsible member of his community, albeit consistently violent member of that community. He plotted assaults and committed murders with full awareness of his purpose and with no small degree of self-satisfaction in the destruction he wrought. That he deserves, as a matter of censure, a proportionately severe punishment needs no elaboration. But Bracy is also deserving of a substantial term of imprisonment because, *as a member of this community*, he is deserving of the Court's full and honest assessment of his actions. Bracy is a morally responsible and morally deserving agent, and he deserves to hear the truth: that the pain he inflicted is so grievous as to require that he spend a substantial majority of the remainder of his life in close contemplation of the suffering he has caused. He deserves a sentence

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that honestly reflects his own nature and characteristics, namely that he has shown himself, through the murder of an unsuspecting and frail victim, to be in equal parts violent and cowardly.

The Court's judgment will call on Bracy to engage with the suffering he has caused, to recognize the man that he is, and to grapple with the man that he may become. A sentence proportional to the harm he has caused and to the corruption of his character – one that will span a majority of the remainder of his life – is the appropriate expression of that harm.

CONCLUSION

For the reasons set forth above, the Government respectfully submits that defendant William Bracy should be punished with a substantial sentence, short of but covering a majority of, the remainder of his life.

Respectfully submitted,

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